

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

IN THE MATTER OF:

GREGORY LAWSON BOWSER
KELSEY NICOLE BOWSER
Debtors

CASE NUMBER: 15-30822
CHAPTER 13

TRUSTEE'S OBJECTION TO CLAIM #9-1

COMES NOW, the Trustee, Debra L. Miller, files her Objection and states as follows:

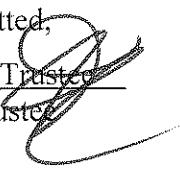
1. On June 22, 2015, Creditor Cavalry SPV I LLC filed Court Claim #4-1 in the amount of \$1,055.76, unsecured.
2. On July 29, 2015, Creditor Cavalry SPV I LLC c/o Bass & Associates filed Court Claim #9-1 in the amount of \$1,055.76, unsecured.
3. On August 24, 2015, Trustee sent Creditor Cavalry SPV I LLC c/o Bass & Associates a letter advising Court Claim #9-1 was a duplicate of Court Claim #4-1 (Attachment A).
4. To date, Creditor Cavalry SPV I LLC c/o Bass & Associates has taken no action nor responded.

WHEREFORE, the Trustee requests the Court enter an order disallowing Court Claim #9-1 filed by Creditor Cavalry SPV I LLC c/o Bass & Associates, as a duplicate claim to Court Claim #4-1.

Dated: October 20, 2015

Respectfully Submitted,

/s/ Debra L. Miller, Trustee
Debra L. Miller, Trustee
P.O. Box 11550
South Bend, IN 46634
(574) 251-1493



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the attached was sent on October 20, 2015

By U.S. Mail postage prepaid to the following:

Debtor: Gregory and Kelsey Bowser, 54152 Ash Road Lot 375, Osceola, IN 46561

Creditor: Cavalry SPV I LLC c/o Bass & Associates, 3936 E. Ft. Lowell Road Ste. 200, Tucson, AZ 85712

By electronic mail via CM/ECF to:

Debtor's Attorney: Patrick Seese

U.S. Trustee: ustpregion10.so.ecf@usdoj.gov

/s/ Debra Miller

Debra Miller

Standing Chapter 13 Bankruptcy Trustee
Debra L. Miller, Trustee
Northern District Of Indiana
South Bend and Fort Wayne Divisions
PO Box 11550
South Bend, Indiana 46634
(574) 251-1493 (phone) (574) 251-1494 (fax)

August 24, 2015

To: CAVALRY SPV I ASSIGNEE OF CAPITAL ONE
C/O BASS & ASSOCIATES PC
3936 E FT LOWELL ROAD STE 200
TUSCON, AZ 85712-

Re: Debtor Name: GREGORY LAWSON BOWSER and KELSEY NICOLE BOWSER
Case No: 15-30822
Account No. 1364/6270

Dear Bankruptcy Dept.:

Our records indicate your recently filed claim, Court Claim #09, is incomplete for the reasons indicated below. We cannot begin payments until the claim has been corrected. If it is not corrected within 30 days, then our office will submit an objection to Court.

Please be advised that creditors are required to comply with the new provisions of FRBP 3001(c)(2)(A) (effective 12/1/2011) which states "If in addition to its principal amount, a claim includes interest, fees, expenses or other charges incurred before the petition was filed, an itemized statement of the interest, fees, expenses, or charges shall be filed with the proof of claim."

Additionally, creditors are required to utilize the new Form B10- proof of claim form- and provide a Power of Attorney if an entity is signing and/or filing the proof of claim on behalf of the holder of the claim. This form is required for all proof of claim forms filed after 12/1/2011.

Please submit an amended claim with US Bankruptcy Court with the following items corrected:

- Claim fails to break out principal balance, interest, fees, expenses or other charges incurred prior to the filing of the bankruptcy.
- Claim as filed fails to provide the power of attorney as entity filing claim is not the creditor.
- Car claim missing title showing perfected lien
- Missing signed security agreement
- Claim does not specify calculations supporting the balance due. Specifically we require principal balance, interest, fees and any other amounts due.
- Claim is not signed

- Claim reports different amounts in numerous sections – balance due undeterminable
- Breakdown does not support the proof of claim
- Late Claim

Other: DUPLICATE OF COURT CLAIM 4

If you have any questions, please seek legal advice from your attorney. Our office CANNOT offer legal advice, which includes any additional information about the requirement of your claim or how to proceed in correcting the issues.

Sincerely,

/s/ Debra L. Miller, Trustee 
Debra L. Miller, Trustee

cc: PATRICK M. SEESE, 1802 MIAMI STREET, , SOUTH BEND, IN, 46613-